

Appeal Statement

Land at Rudgwick Glebe, Lynwick
Street, Rudgwick

Erection of 2 - 4 dwellings along with open space, landscaping,
parking and access from Lynwick Street

at

Land at Rudgwick Glebe, Lynwick Street, Rudgwick

Appeal Statement

on Behalf of

Cross Homes Lewes Ltd

August 2026

DMH Stallard LLP
[Firm Address]



DMH Stallard LLP Ref: 808/417672.1

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Date: 5th August 2026

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1. Introduction

1.1 This Appeal Statement has been written by DMH Stallard LLP in support of an Appeal by Cross Homes (Lewes) Ltd ("the Appellant") against Horsham District Council's ("the Council") decision to refuse Permission in Principle for a development at Land South of Lynwick Street, Rudgwick, West Sussex, RH12 3DJ ("the Site").

1.2 The Planning Application was validated under DC/26/0509 with the following description:

"Permission in Principle for 2-4 residential dwellings with open space, landscaping, parking and access from Lynwick Street."

1.3 The application was refused on 23 July 2026 under delegated authority for the following reasons:

(i) The proposed development would be located outside and physically separate from the defined Built-Up Area Boundary of Rudgwick on a site not allocated for development. The proposal would result in an unjustified and unsustainable extension of residential development into the countryside, contrary to the plan-led spatial strategy which seeks to direct development to the most sustainable locations and manage settlement growth in a coordinated manner. The proposal is therefore contrary to Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy RNP1 of the Rudgwick Neighbourhood Plan (2021). Whilst the presumption in favour of sustainable development is engaged, the benefits of the proposal do not outweigh the harm arising from this conflict with the development plan.

(ii) The proposed development would urbanise an undeveloped rural site that makes a positive contribution to the character and appearance of Lynwick Street and the wider countryside. By reason of the site's landscape value, verdant frontage, mature trees and settlement edge location, the proposal would result in harm to local landscape character and rural character. The proposal is therefore contrary to Policies 25, 32 and 33 of the Horsham District Planning Framework (2015), Policies RNP7 and RNP9 of the Rudgwick Neighbourhood Plan (2021), and the National Planning Policy Framework (2024).

1.4 The purpose of this Appeal Statement is to set out the Appellant's full statement of case against the Council's decision to refuse Permission in Principle. In doing so, it summarises the characteristics of the Site, the relevant Development Plan policies, and provides an assessment of the Proposed

Development against those policies, together with all other material planning considerations.

- 1.5 It is submitted that, having regard to the evidence and the acute housing land supply shortfall within Horsham District, the appeal should be allowed.

2. The Site and Surroundings

- 2.1 The Site comprises approximately 0.62 hectares of land situated on the southern side of Lynwick Street, to the north of the village of Rudgwick, within the administrative area of Horsham District Council. The site is currently an undeveloped parcel of land with an existing field gate access from Lynwick Street.
- 2.2 The site lies outside the defined built-up area boundary for Rudgwick and is therefore located within the countryside for the purposes of the adopted Horsham District Planning Framework. Notwithstanding its countryside designation, the site is near the built-up area boundary of Rudgwick, sitting within a linear pattern of development along Lynwick Street.
- 2.3 The site benefits from an existing field gate access from Lynwick Street. The topography of the site is characterised by a north-east to south-west fall, with a dry valley that bisects the site. The site levels ranging between approximately 61.5 metres and 58.0 metres above Ordnance Datum.
- 2.4 There is an area of deciduous woodland priority habitat adjacent to the site within the same ownership. An unnamed watercourse flows parallel to the western boundary of the site. The site is within the River Arun's catchment, with the River Arun lying approximately 1.6 kilometres to the south. There are several protected trees within the wider Site to the boundary with Lynwick Street, but these would be retained as part of the development proposals.
- 2.5 The Site is enclosed by mature trees, with existing residential properties to the north along Lynwick Street and the Old Vicarage to the east. This enclosure affords the Site a high degree of physical and visual containment, limiting its intervisibility within the wider landscape.
- 2.6 The Old Vicarage is a Grade II listed building, separated from the Site by existing boundary vegetation, meaning that there is no intervisibility.
- 2.7 Public right of way RUD-1390 runs along the southern boundary of the Site, providing pedestrian access from the site towards the centre of Rudgwick and its local services and facilities, making the Village Centre accessible by a walk of approximately 1.10 km.
- 2.8 The surrounding area is characterised by a mix of residential properties, comprising linear development along Lynwick Street of primarily large, detached dwellings. The settlement of Rudgwick lies to the south and south-east of the site, with local services and facilities accessible within reasonable walking and cycling distances.
- 2.9 Several local services and facilities are accessible from the site, including bus stops on Church Street (280–300 metres), a church (320 metres), a public house (335 metres), the Jubilee Hall (450 metres) and the Lynwick Street

Employment Area (550 metres). Further services in the village centre, including a convenience store, post office, primary school and medical centre, are accessible within approximately 1.5 kilometres.

2.10 Bus services are available from the King's Head stop approximately 280-300m from the Site. Route 63 (Horsham to Guildford) operates three services per hour on weekdays.

2.11 The Site is not located within any national or local landscape designation. It does not fall within an Area of Outstanding Natural Beauty, Area of Great Landscape Value, or any other protected landscape.

3. Planning History

- 3.1 A review of the Council's planning records has confirmed that there is no planning history associated with the Site. The land has not been the subject of any previous Planning Applications.

4. The Scheme

- 4.1 The appeal seeks Permission in Principle for the erection of 2–4 detached family homes on the Site. As required by the Permission in Principle procedure, the amount of development is expressed as a range, indicating the minimum and maximum net number of dwellings which are, in principle, permitted.
- 4.2 The layout and design of the development will be subject to a technical details application but to provide an indication of how the site could be developed without having a significant impact on trees, ecology, heritage and landscape an indicative layout has been submitted. The indicative proposals show the dwellings situated around an area of open space and pond, accessed from a single point of access from Lynwick Street. The homes would be detached family dwellings of a type and character befitting the rural setting and established character of development along Lynwick Street.
- 4.3 The indicative layout demonstrates that areas of deciduous woodland within the wider site would be retained outside of the residential curtilages allowing this area to be protected and enhanced for biodiversity benefits. The woodland areas would not form part of any private garden or domestic curtilage, ensuring their long-term ecological integrity and enabling management for ecological enhancement purposes.
- 4.4 Access is proposed from Lynwick Street via an existing field entrance repositioned westward. The Transport Statement prepared by GTA Civils & Transport (March 2026) demonstrates that satisfactory visibility splays of 2.4m x 43m are achievable in accordance with Manual for Streets 1, with the site generating only 3 two-way vehicle trips in both the AM and PM peak hours.
- 4.5 The creation of the site access would necessitate the loss of one tree at the site entrance to provide suitable visibility splays and two trees inside of the site. This loss would be mitigated and substantially exceeded by significant tree planting opportunities within the open space areas of the site, as shown in the indicative proposals. All other trees will be retained.
- 4.6 Parking provision will be delivered in compliance with West Sussex County Council guidance, with each dwelling served by a double garage and driveway space (12 allocated spaces plus 2 visitor spaces). Cycle parking, electric vehicle charging, and refuse vehicle access are all satisfactorily demonstrated.
- 4.7 Development would be focussed on the parts of the site that are within Flood Zone 1 and away from sensitive ecological features. The proposed areas of open space, pond and new tree planting would provide amenity and biodiversity value, contributing to the green infrastructure of the area.
- 4.8 The precise details of the layout, scale, appearance, landscaping and access arrangements would be considered at the technical details consent stage, in

accordance with the two-stage process established by the Permission in Principle procedure. The indicative layout has been submitted to demonstrate that the Appellant recognises the important landscape features of the Site and the intention to retain these. The Appellant intends to engage the Council in pre-application discussions to refine the scheme prior to submission of TDC details.

5. Planning Policy Context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises the following:

- Horsham District Planning Framework 2015 ("HDPF")
- Rudgwick Neighbourhood Plan 2021 ("RNP")

5.2 In addition to the above, the following documents form material considerations:

- National Planning Policy Framework (August 2026) ("NPPF")
- Planning Practice Guidance
- Horsham District Local Plan Regulation 19 (submitted July 2024)
- Shaping Development Planning Advice Note ("SDPAN")

Horsham District Planning Framework (2015)

5.3 The following policies within the HDPF are of principal relevance to this appeal:

5.4 **Policy 1** sets out the presumption in favour of sustainable development, reflecting that contained within the NPPF.

5.5 **Policy 2** sets out the strategic development hierarchy. It identifies that development will be directed to the main town of Horsham and the larger villages/smaller towns. Rudgwick is identified as a "Medium Village" within the settlement hierarchy.

5.6 **Policy 3** relates to development hierarchy and seeks to direct development to the most sustainable settlements. It states that outside built-up area boundaries, the expansion of settlements will be supported where a site is allocated in the Local Plan or a Neighbourhood Plan, or where the proposal is considered to meet the requirements of identified local housing need.

5.7 **Policy 4** identifies a minimum of 16,000 homes across the plan period (2011-2031).

5.8 **Policy 26** sets out the strategic policy for the countryside, stating that development will be considered in the context of relevant development plan policies and NPPF. The countryside will be protected against inappropriate development, having regard to the identified need for development.

5.9 **Policy 25** requires development to protect, conserve and enhance the landscape and townscape character. It seeks to ensure that the natural environment and landscape character of the District is protected against inappropriate development.

5.10 **Policies 32 and 33** relate to the quality of new development and development principles respectively. Policy 32 requires high quality design. Policy 33 deals with development principles including landscape character, trees and the natural environment.

Rudgwick Neighbourhood Plan (2021)

5.11 **Policy RNP1** defines the spatial strategy for the neighbourhood area. It states that development should be directed within the Built-Up Area Boundary.

5.12 **Policy RNP7** relates to landscape and countryside character protection.

5.13 **Policy RNP9** relates to trees, hedgerows and woodland.

National Planning Policy Framework (August 2026)

5.14 The amended NPPF 2026 has been restructured to use a policy reference system rather than paragraph numbers. Policy S3 sets out the presumption in favour of sustainable development for decision-taking, directing that Policy S4 should be applied to development proposals within settlements, and Policy S5 to proposals outside settlements. Policy S5 provides that only certain forms of development should be approved outside settlements, but that these should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. Policy S5(1)(j) provides that development outside settlements should be approved where; it would address an evidenced unmet need, including where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test, and; where the development would be well-related to an existing settlement and be of a scale which can be accommodated taking into account existing or proposed infrastructure.

5.15 **Policy HO7** provides that “substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community”.

5.16 **Policy HO6** of the amended NPPF 2026 recognises the importance of small and medium sites to housing delivery, requiring local plans to allocate at least 10% of the housing requirement on sites no larger than one hectare, and a further 10% on sites of between one and two and a half hectares. This 20% combined requirement for sites of 2.5 hectares or less reflects national policy recognition that small sites brought forward by SME housebuilders make an important contribution to meeting housing needs, particularly given their ability to be built out relatively quickly. Policy HO6(1)(b) further provides that local

plans should allocate sites which will support and enhance the vitality of rural communities and enable villages to grow and thrive, especially where this will support local services. The proposed development of 2-4 dwellings at Rudgwick would contribute to maintaining the vitality of this rural community and support local services.

- 5.17 Policies L1, L2 and L3 in Chapter 12 (Making effective use of land) of the amended NPPF 2026 address the effective use of land, requiring decisions to support development that makes efficient use of land and, where there is a shortage of housing, to avoid homes being built at low densities.
- 5.18 Policy N4 of the amended NPPF 2026 concerns Protected Landscapes (National Parks, the Norfolk and Suffolk Broads and National Landscapes) and provides that the scale and extent of development in these areas should be limited. It is noted that the Landscape and Visual Statement (Nick Harper, June 2026) concludes that the Site does not constitute a "valued landscape" for the purposes of this policy.
- 5.19 Policy TR3 provides that development proposals which could generate a significant amount of movement should be in locations that are sustainable, or which can be made so, and should offer a genuine choice of transport modes unless the nature of the development would make this impractical. Importantly, in rural areas, policy TR3(1)(e) recognises that opportunities to improve walking, wheeling, cycling and public transport should be taken where they exist and can be supported by the development proposed. This is relevant to the appeal site given its proximity and connectivity to the Sussex Border Path and bus services.

Emerging Horsham District Local Plan

- 5.20 The emerging Horsham District Local Plan (Regulation 19) was submitted to the Secretary of State in July 2024. Following initial hearings, the Examination Inspector raised concerns in relation to the Duty to Cooperate and the Examination was paused in December 2024. Following Government announcements in relation to the way Examinations should be undertaken, the Council successfully requested that the examination be re-opened in February 2026. A new Inspector, Mr Jonathan Bore, was appointed and Stage One hearings on housing numbers took place in April 2026. Following those hearings, the Inspector recommended several Main Modifications to make the Plan sound. These include increased housing numbers reflecting the removal of the water neutrality constraint and national planning reforms. A consultation on those Main Modifications opened on 13 July 2026 and runs until 24 August 2026. Stage Two hearings dealing with the Council's overall strategic approach and site allocations are not anticipated until Autumn 2026. Adoption is not expected until early 2027 at the earliest.
- 5.21 In these circumstances the emerging Local Plan remains at an intermediate stage of preparation and can be afforded only limited weight in the

determination of this Appeal. No weight can be attached to the specific site allocations within the emerging Plan as these have yet to be examined.

Shaping Development in Horsham District Planning Advice Note

- 5.22 The Council has published the Shaping Development in Horsham District Planning Advice Note ("SDPAN"). It sets out a proactive approach to supporting sustainable development in the context of the Council's inability to demonstrate a five-year housing land supply. At paragraph 5.12 the SDPAN recognises that the Council is likely to receive applications outside of defined BUABs and on unallocated sites. It states that given its supply position and the principles behind HDPF Policy 4, the Council will consider positively applications that meet all of the following criteria. First, the site adjoins the existing settlement edge as defined by the BUAB. Second, the level of expansion is appropriate to the scale and function of the settlement. Third, the proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services. Fourth, the impact of the development individually or cumulatively does not prejudice comprehensive long-term development. Fifth, the development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.
- 5.23 The SDPAN is not a Development Plan document and does not carry the same weight as Development Plan policy. Its status is that of a planning advice note. The weight to be afforded to it must be considered in the context of the Council's housing land supply position.

6. Housing Need

- 6.1 It is acknowledged by the Council that they cannot currently demonstrate a five-year supply of deliverable housing land.
- 6.2 According to the Council's latest Authority Monitoring Report (2024/25), the annual housing requirement for Horsham District under the standard method is 1,338 dwellings. Once a 20% buffer is added to reflect the Council's poor delivery record, results in the five-year requirement rising to 8,028 dwellings. The Council can only demonstrate a deliverable supply of 2,742 dwellings. This is equivalent to 1.7 years of housing supply and a deficit of 5,286 dwellings over the five-year period. We would also note that the Council's 2023 Housing Delivery Test result was only 62%, well below the 75% threshold, and that only 328 net dwellings were completed in the 2024/25 monitoring year.
- 6.3 This is one of the most significant housing land supply shortfalls in the country. A deficit of 5,286 dwellings over the five-year period is a shortfall of substantial magnitude. Policy HO7 of the NPPF 2026 provides that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. The delivery of housing to address this acute shortfall must be given substantial weight in the determination of this appeal, contrary to the Council's assertion that this should only be provided moderate weight.
- 6.4 The emerging Local Plan, which is intended to address this shortfall, was submitted in July 2024 and its examination was re-opened in early 2026 following withdrawal of Duty to Cooperate. There is therefore no imminent prospect of the Development Plan being updated in a manner that would resolve the housing shortfall in the near term, and the current acute supply position will persist for the foreseeable future.
- 6.5 In these circumstances, Policy S5(1)(j) of the NPPF is engaged. The Council's inability to demonstrate a five-year housing land supply, that the appeal should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. Policy S5(1)(j)(i) further requires that such development be physically well-related to an existing settlement and be of a scale which can be accommodated taking into account existing or proposed infrastructure. As demonstrated in Section 8 below, the Proposed Development satisfies both requirements.
- 6.6 It is noted that the Housing Delivery Test result of only 62% would independently engage Policy S5(1)(j) which further reinforces the weight to be afforded to this.

8. Scheme Appraisal

8.1 A detailed assessment of the Planning Application has been set out within the Planning Statement which should be read in conjunction with this Appeal Statement. It is not considered helpful to repeat that here but instead we will respond to the Reasons for Refusal and Officer's Report, with reference to the documentation submitted in response to issues raised during consideration of the Planning Application.

8.2 As set out above, the Council cannot demonstrate a five-year housing land supply. The starting point for consideration of this Appeal is that Policy S5(1)(j) of the NPPF is engaged, such that the Proposed Development falls within a category of development outside settlements which should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

8.3 We address each of the Council's reasons for refusal in turn below.

Reason for Refusal 1 – Location and Spatial Strategy

8.4 The first reason for refusal asserts that the Proposed Development would result in an unjustified and unsustainable extension of residential development into the countryside, contrary to Policies 1, 2, 3, 4 and 26 of the HDPF and Policy RNP1 of the RNP. The Council accepts that the presumption in favour of sustainable development is engaged but concludes that the benefits of the scheme do not outweigh the harm arising from this conflict.

8.5 Although the Site lies outside the defined BUAB, it is not an isolated site within the open countryside. It lies in close proximity to the existing settlement of Rudgwick and is enclosed on two sides by residential development to the north and east along Lynwick Street. The western and southern boundaries are defined by mature woodland, affording the Site a high degree of physical and visual containment. The Site sits within the existing linear pattern of development along Lynwick Street and would be well contained within the established pattern of development and existing landscape framework. It should be regarded as a logical and contained continuation of the linear development along Lynwick Street, rather than an incursion into the wider countryside.

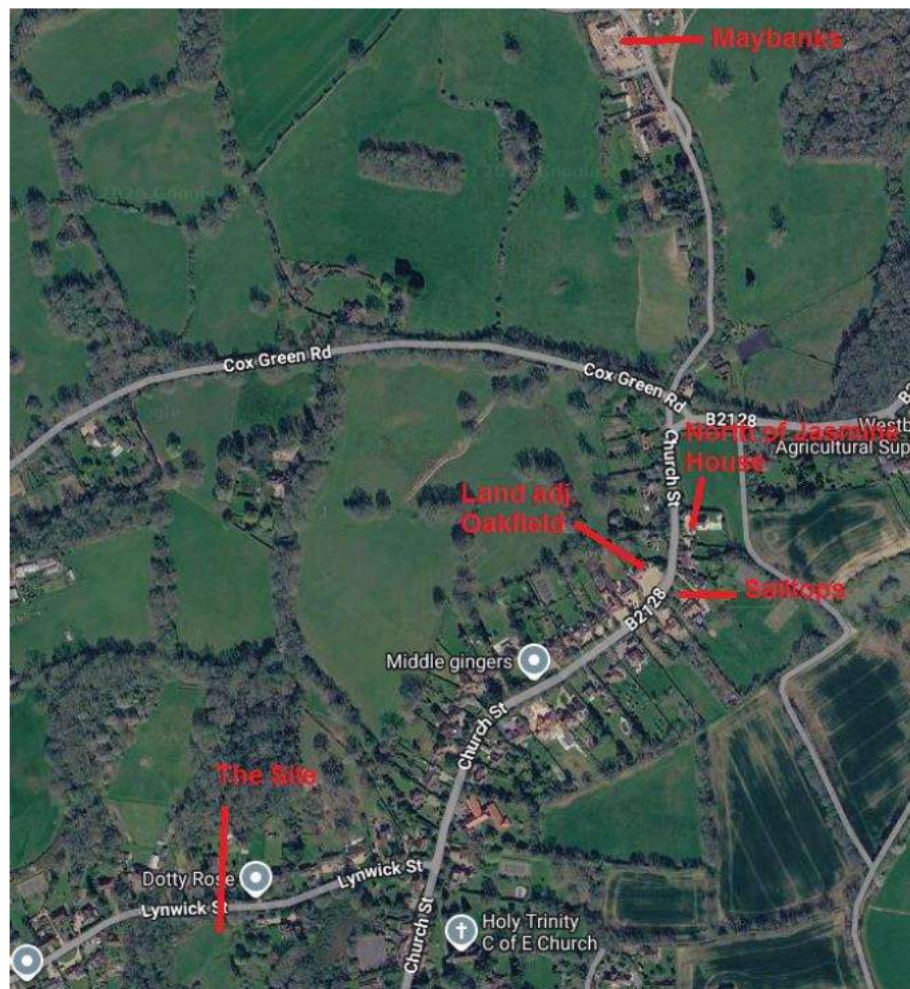
8.6 The Officer's Report refers to the Council's Shaping Development in Horsham District Planning Advice Note (SDPAN) in support of its conclusion that the Site does not represent an appropriate location for residential development. It is the Appellant's case that the SDPAN should be afforded minimal weight in the determination of this appeal. It is not a Development Plan document, it has not been subject to independent examination. It must also be read in the context of the Council's housing land supply of only 1.7 years. In those

circumstances, a non-statutory advice note that seeks to impose additional criteria upon development outside the BUAB, beyond those contained in the Development Plan itself, should carry very limited weight.

- 8.7 In any event, and without prejudice to the above submission on weight, the Proposed Development meets the substance of the SDPAN's requirements at paragraph 5.12. In terms of the level of expansion, the proposal is for a maximum of 4 dwellings which is modest and entirely appropriate to the scale and function of Rudgwick, a Medium Village within the settlement hierarchy. The proposal would contribute towards meeting local housing needs in a District with an acute shortfall, and the delivery of 2-4 dwellings on a small site capable of rapid delivery would assist the Council in addressing its housing land supply deficit. The development would not prejudice comprehensive long-term development, whether individually or cumulatively, given its modest scale and the fact that it would not prevent the delivery of any allocated sites or undermine the plan-making process. The development is contained within existing defensible boundaries, being enclosed by mature woodland to the west, south and east and by Lynwick Street to the north, with the landscape character features capable of being maintained and enhanced through the retention of the landscape framework (including woodland and TPO trees).
- 8.8 The sole criterion of the SDPAN which is not strictly met is the requirement that the site adjoins the existing settlement edge as defined by the BUAB. The Site does not directly abut the defined BUAB, being separated from it by existing residential properties fronting the southern side of Lynwick Street. It is, however, immediately adjacent to those existing properties, which themselves form part of the settlement, and it is enclosed on southern and western sides by mature woodland which provides a clear and defensible boundary. We would note that in the context of a 1.7-year housing land supply and where Policy S5(1)(j) is engaged, a strict insistence upon direct contiguity with the BUAB goes significantly further than the Development Plan itself requires and would, if applied rigidly, frustrate the delivery of housing on sites that are otherwise well related to the settlement, contained within defensible boundaries, and otherwise capable of being in accordance with the Development Plan.
- 8.9 Accordingly, the Proposed Development satisfies the requirements of policy S5(1)(j)(i) of the NPPF. The Site is physically well-related to the existing settlement of Rudgwick, being adjacent to existing residential properties on Lynwick Street and contained within defensible boundaries formed by mature woodland. The proposal for 2-4 dwellings is of a scale which can readily be accommodated by existing infrastructure, as set out below.
- 8.10 In terms of sustainability, the Site is well related to local services and facilities, being approx. 1.28 km from the supermarket in the centre of Rudgwick or 1.10 km if taking a route along RUD-1390 (with other facilities being closer). As set out in Section 2 above, the Site lies within walking distance of a church,

public house, community hall, employment area, convenience store and bus services, accessible from RUD-1390 which adjoins the southern boundary of the Site. Furthermore, Route 63 (which serves bus stops close to the access point) provides three services per hour to Horsham and Guildford. It is also noted that West Sussex County Council, as Local Highway Authority, raised no objection to the application, which further confirms the accessibility of the Site. The Site is a very short cycle ride to Rudgwick, and the facilities described above. It is submitted that occupiers of the proposed houses would have opportunities to access services by modes other than private motor vehicle and therefore complies with the transport and accessibility objectives of policies TR1 and TR3 of the NPPF and Policy 40 of the HDPF, which seek to promote sustainable travel patterns and reduce reliance on the private car.

- 8.11 As referenced within our Appeal Statement we would note that there have been several approvals for small housing developments at a similar or greater distance from the Centre of Rudgwick than this Site. With reference the plan below these are:



- WA/2024/00030 – which relates to the erection of three terraced dwellings at Maybank's in Waverley and was allowed at Appeal on the 3rd March 2025 (APP/R3650/W/24/3345689). We have described this Appeal and how it relates to this Application in our Planning Statement. It is noted that the Officer's Report refers to this as being permitted under different circumstances due to it being in a different authority. Whilst it is accepted it is in a different authority area the policies in relation to sustainability will broadly seek to achieve the same purpose, both proposals will need to be considered under the NPPF, which either under the 2026 or previous versions, seeks to ensure that development is located in sustainable areas. Therefore, our view is that this Appeal decision is highly pertinent and confirms that a site some 2 km from the supermarket in the centre of Rudgwick is sustainable. It is noted that the housing supply position in Waverley is better than Horsham at approximately 3.5 years.

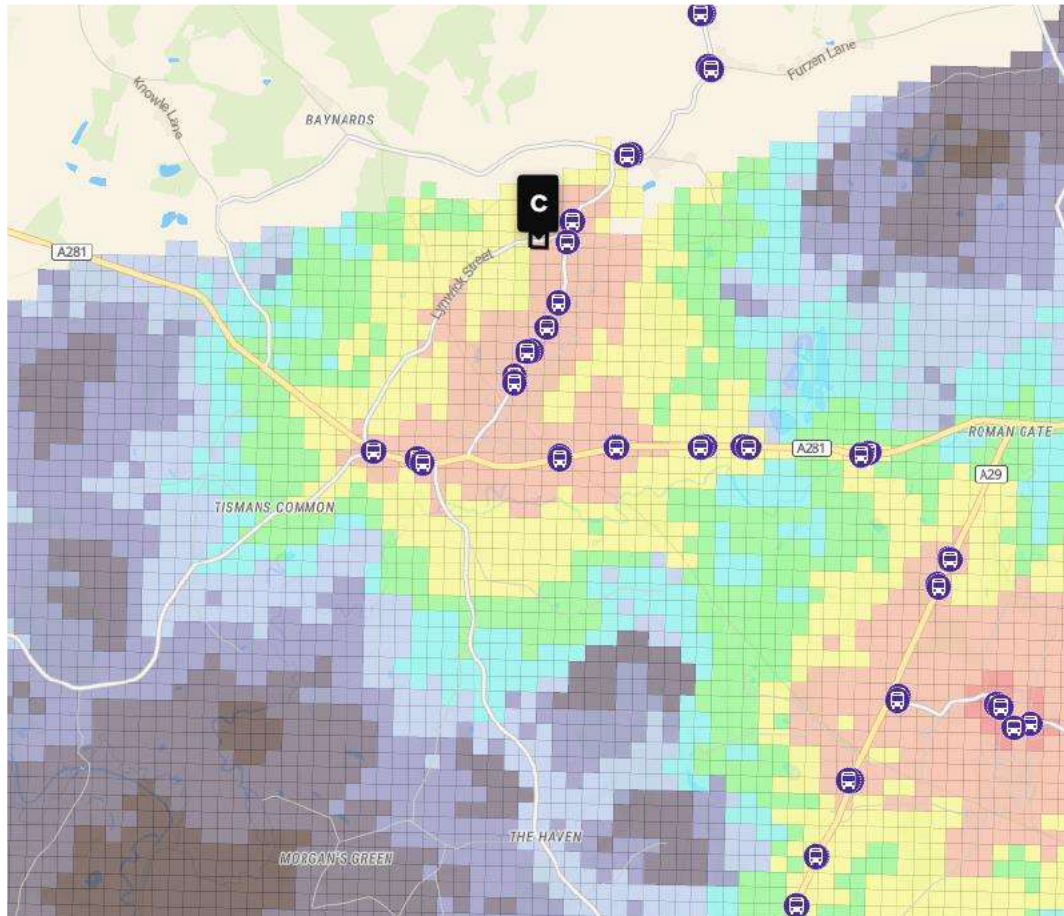
8.12 The below sites are closer to Rudgwick but are still further from the centre than the Site subject of this Appeal:

- DC/24/0462 – which relates to erection of a single dwelling at Sailtops, some 1.40 km from the supermarket in the centre of Rudgwick.
- DC/18/0316 – new dwellings on land north of Jasmine House, some 1.44 km from the supermarket in the centre of Rudgwick. It is noted that this site is not contiguous with the settlement boundary of Rudgwick as in the case of this Appeal.
- DC/23/0235 – new dwellings on land adjacent to Oakfield, some 1.40 km from the supermarket in the centre of Rudgwick.

8.13 Consequently, there have been several dwellings permitted which are located a greater distance from Rudgwick. It is accepted that Lynwick Street does not benefit from a footpath, but the site does benefit from a Public Right of Way (RUD/390) which provides a pedestrian route to central Rudgwick and associated bus stops. It is also noted that Maybanks also has no footpath being served by an unlit single width access track until it reaches Cox Green Road and therefore is very similar in accessibility terms to the site subject of this Appeal (but at a greater distance). It is submitted that for the above reasons the site is a suitable and sustainable location for housing, being immediately accessible on foot or cycle to a Medium size village with a good range of facilities including a good-sized supermarket, church, post office, hair salon, school and pub. Measures to promote use of sustainable modes of travel including the provision of e-bike chargers can be considered at the TDC stage.

8.14 With reference the Department for Transport's Connectivity Tool the site nationally has a score of between 32 – 34 which is within the lowest percentile nationally but compares favourably to the scores across Rudgwick including the recent approvals above. When looking at West Sussex on its own, it is

banded as C which is favourable in comparison to many edge of town or village locations across West Sussex.



- 8.15 It is noted that the Officer's Report affords only "moderate weight" to the provision of housing, having regard to the issues raised above. The Appellant submits that this is inconsistent with policy HO7 of the NPPF 2026, which provides that "substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community". Furthermore, policy HO6 recognises the importance of small and medium sites to housing delivery, requiring local plans to allocate at least 20% of the housing requirement on sites of 2.5 hectares or less. The Proposed Development, as a small site capable of rapid delivery by a local SME builder, would make a direct contribution to this national policy objective. When the balance is properly applied in accordance with policy S5, and having regard to the express direction in policy HO7, the clear and substantial benefit of delivering housing in the context of a 1.7-year supply must be given substantial weight.

Reason for Refusal 2 – Landscape Character

- 8.16 The second reason for refusal asserts that the Proposed Development would urbanise an undeveloped rural site that makes a positive contribution to local landscape character, contrary to Policies 25, 32 and 33 of the HDPF, Policies RNP7 and RNP9 of the RNP, and the NPPF.
- 8.17 The impact of the Proposed Development would depend on the details submitted at the TDC stage of the PiP process. The Appellant has made it clear that should this appeal be granted, they would engage the District Council in pre-application discussions to ensure that the detailed design responds sensitively to the landscape context and incorporates appropriate mitigation measures. Furthermore, the PiP process allows for flexibility in the final layout, scale and appearance of the dwellings, which can be refined at TDC stage to address any residual landscape concerns. In addition, the PiP application specifies a range of 2-4 dwellings, and it is open to the Inspector to grant permission in principle for a narrower range within those parameters should concerns remain regarding the impact of the upper number of dwellings on the landscape character of the Site.
- 8.18 In response to the Council's concerns which were raised during consideration of the Planning Application, the Appellant commissioned a comprehensive Landscape and Visual Statement prepared by Nick Harper BA (Hons) DipLA (Hons) CMLI, a subsequent response was also made to the comments of Place Services dated 22 July 2026.
- 8.19 This Landscape and Visual Statement confirms that the Site is not located within any national or local landscape designation and is not judged to constitute a "valued landscape" for the purposes of Policy N6 of the NPPF, owing to the influence of adjacent residential development, traffic, lighting and other suburbanising features. The Landscape Value, Landscape Susceptibility and Landscape Sensitivity of the Site are all assessed as Medium, and it is concluded that the wider character of National Character Area 121 Low Weald, the West Sussex Landscape Character Area LW4 Low Weald Hills, and the Horsham Landscape Character Area 1, Rowhook and Rudgwick Wooded Ridge would remain unchanged. Importantly, the principal landscape framework, comprising the mature woodland boundaries, TPO trees, and topography, would be retained in its entirety, and the Site would continue to be experienced within the context of existing residential development to the north and east.
- 8.20 In terms of landscape effects, the assessment identifies a Moderate Adverse Landscape Effect which they consider to be significant at completion, reducing to a Minor to Moderate Adverse Effect (on the cusp of Significant and Not Significant) by Year 15 following the establishment of planting. It is considered that this represents a temporary and transitional effect, the impact of which would diminish materially over time as the landscaping matures.

- 8.21 In terms of visual effects, it is considered that views from Lynwick Street would be Minor Adverse and Not Significant, whilst views from the Public Right of Way RUD/390 would be Moderate Adverse at completion, reducing to Minor Adverse and Not Significant as the landscaping matures.
- 8.22 The professional conclusion reached by Mr Harper is that "the Site is capable of accommodating a small-scale residential development of the type illustrated without causing unacceptable harm to the wider landscape resource", and that "the identified effects are not of such magnitude or extent as to justify refusal on landscape grounds alone." Whilst some visual impacts are inevitable when developing any undeveloped site, these would not be significant, particularly in the longer term, and would not cause harm that substantially outweighs the benefits of the scheme.
- 8.23 It is noted that many of the concerns raised by Place Services relate to matters of detailed design, including access design, tree protection and landscape treatment, which are properly addressed at the Technical Details Consent stage. As set out above, it remains that the proposals could be refined in such a way that any impacts described above could be further reduced or avoided, particularly given the inherent flexibility of the PiP process where approval is given as a range.

Other Matters

Trees

- 8.24 An Arboricultural Assessment has been prepared by SJAtrees (June 2026) in response to the Council's Tree Officer comments. The assessment confirms that the Site contains several mature trees, including several oak trees protected by Tree Preservation Orders along the northern boundary.
- 8.25 The Council's Tree Officer raised concerns that certain trees on the site might constitute veteran trees. However, the Arboricultural Assessment concludes that none of the trees on the Site meet the definition of veteran status. Whilst all the recorded oak trees are of sufficient size and age to be considered notable and should be retained and suitably protected, they do not exhibit the veteran characteristics required to engage the protections afforded by policy N6(2) of the NPPF, which provides that development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 8.26 In terms of arboricultural impacts, the assessment identifies that the proposed access would result in minor incursions into the Root Protection Areas of two mature trees. However, greater than standard RPAs have been applied as a precautionary measure, and the trees are assessed as being in sufficiently good vitality to tolerate these minor incursions. Further details and measures to

ensure the protection of trees within the site can be addressed and conditioned at the TDC stage.

Heritage

- 8.27 The Site lies adjacent to The Old Vicarage, a Grade II listed building located to the east. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the decision-maker must have special regard to the desirability of preserving the setting of the listed building. The NPPF requires that great weight should be given to the asset's conservation, and that any harm should require clear and convincing justification.
- 8.28 The Council's Conservation Officer has advised that the Site has no apparent historic functional connection with The Old Vicarage and has raised no overriding objection in principle from a heritage setting perspective. The Landscape and Visual Statement confirms that the listed building could not be seen from the Site during the site visit due to intervening vegetation and the garden boundary treatment. Whilst there is little or no intervisibility between the Site and the listed building itself, the Site may contribute to its wider rural setting.
- 8.29 The Conservation Officer has advised that any harm arising from the development would be at the low end of less than substantial harm, dependent upon the eventual form, layout and number of dwellings proposed. Critically, the Officer has further advised that such harm may potentially be mitigated through an appropriate detailed design approach at the Technical Details Consent stage. The Officer's Report itself acknowledges that this matter attracts only "limited weight" against the proposal.
- 8.30 In accordance with Policy HE6 of the NPPF, where a development proposal would harm the significance of a designated heritage asset, the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. In this case, any harm to the setting of The Old Vicarage would be at the very lowest end of less than substantial harm, and the public benefits of delivering housing in a District with only 1.7 years' housing land supply would clearly outweigh any such harm.

Flood Risk and Drainage

- 8.31 A Flood Risk and Sustainable Drainage Technical Note has been prepared by GTA Civils & Transport (March 2026) to support the application. The Site lies entirely within Flood Zone 1 (Low Risk), as confirmed by the Environment Agency's flood maps. Neither the Site nor anywhere in the vicinity has been affected by flooding in the past according to the EA's Historical Flood Map.

- 8.32 There are two surface water flood patterns affecting the Site: one associated with the watercourse along the western boundary, and another along the dry valley that bisects the Site. The proposed development is located away from these areas, and the Technical Note confirms that surface water flooding originating within the Site will be intercepted and routed sustainably through an appropriately designed SuDS network.
- 8.33 The overall flood risk classification for the Site is Low. Development will be directed to areas within Flood Zone 1, away from the watercourse and flood-affected areas. Desktop geology indicates that the Site is underlain by Weald Clay, suggesting that infiltration features are unlikely to be viable. Surface water drainage will therefore be routed to the watercourse via an appropriately designed outfall, with runoff rates limited to greenfield rates in accordance with national standards.
- 8.34 The SuDS design will comply with DEFRA's National Standards for Sustainable Drainage Systems (June 2025), including measures to intercept the first 5mm of every rainfall event through rain gardens and/or swales. Water butts will be provided for each dwelling to reduce potable water demand. The surface water drainage network will be sized to accommodate the 1 in 100-year storm event plus a 45% climate change allowance. Full detailed design will be submitted at the Technical Details Consent stage.
- 8.35 It is noted that the SuDS design will accord with policy F8 of the amended NPPF 2026, which requires development proposals to incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. The policy further requires that sustainable drainage systems be designed in accordance with the National Standards for Sustainable Drainage Systems, provide multifunctional benefits where possible, and facilitate improvements in water quality, biodiversity and amenity.
- 8.36 The Officer's Report acknowledges that drainage "could potentially be addressed at TDC stage" and that this matter is "neutral at this stage." There are no overriding flood risk or drainage constraints that would preclude development in principle, and all detailed drainage matters can be appropriately resolved at the Technical Details Consent stage in accordance with Policy 38 of the HDPF and the NPPF.

9. Conclusions and Planning Balance

- 9.1 The Proposed Development comprises an application for Permission in Principle for 2-4 residential dwellings near the existing settlement of Rudgwick. The Council cannot demonstrate a five-year housing land supply, with the current

position standing at only 1.7 years, one of the most significant shortfalls in the country. Furthermore, the Housing Delivery Test result of 62% independently engages policy S5(1)(j) of the NPPF. In these circumstances, the Proposed Development falls within one of the categories of development outside settlements which should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. In accordance with policy HO7, substantial weight must be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community.

- 9.2 With regards to the overall planning balance, the Proposed Development would generate long-term economic benefits arising from the future expenditure of new residents within the local economy. New residents of the 2-4 dwellings would contribute to the vitality and viability of local services and facilities in Rudgwick, including the convenience store, public house and community facilities. This ongoing expenditure would support local employment and help to sustain the rural economy of Rudgwick and its surrounding area. The economic contribution of new residents to the local economy is a material consideration which attracts modest weight in the planning balance.
- 9.3 In accordance with Policy HO7 of the NPPF 2026, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. The provision of 2-4 residential dwellings in Horsham District, where there is an acute housing land supply shortfall of only 1.7 years, is therefore to be afforded substantial weight in the planning balance. Policy HO6 further recognises that small and medium-sized sites should make up at least 20% of Council's site allocations. The Proposed Development would contribute directly to this national policy objective. Accordingly, it is the Appellant's case that the delivery of housing to address this acute and long-standing shortfall attracts substantial weight in the planning balance.
- 9.4 The Proposed Development would generate economic benefits during the construction phase, including direct employment in construction and related trades, supply chain activity, and associated local economic stimulus. The construction of 2-4 dwellings by a local SME housebuilder would support local employment and will help to sustain the construction sector within the District, which is otherwise under significant pressures. Whilst the scale of these benefits is commensurate with the modest scale of the development, they nevertheless represent a material consideration which attracts modest weight in favour of the grant of permission.
- 9.5 Turning to the identified harms, the Council's reasons for refusal and Officer's Report identify conflict with the spatial strategy, landscape character harm, and heritage harm. Each of these matters has been addressed in the preceding sections of this Statement. The conflict with the spatial strategy set out in Policies 2, 3, 4 and 26 of the HDPF and Policy RNP1 of the RNP attracts

reduced weight given the out-of-date status of those policies, and the Site is well related to the existing settlement pattern of Lynwick Street and contained within defensible boundaries. The landscape harm has been assessed in the Landscape and Visual Statement prepared by Mr Nick Harper, which concludes that the Site can accommodate small-scale residential development without causing unacceptable harm to the wider landscape resource. The identified moderate adverse effects upon completion would reduce to a minor adverse effect as the landscaping matures, and the visual effects from Lynwick Street would be minor and not significant. The heritage harm identified by the Conservation Officer would be less than substantial and at the very lowest end of that scale, attracting only limited weight in the Officer's own assessment. The Arboriculture Report confirms the principal landscape framework including the woodland and TPO trees would be retained.

- 9.6 Weighing these matters together in accordance with policy S5 of the NPPF, and having regard to the express direction in policy HO7 that substantial weight should be given to the benefits of housing delivery, it is the Appellant's case that the identified harms, whether individually or collectively, do not substantially outweigh the benefits of delivering housing in the context of Horsham District's acute housing land supply shortfall. The planning balance therefore falls clearly in favour of the grant of Permission in Principle and we respectfully request that this Appeal is allowed.